

Case No. 94S00-0401-MS-19

By an Order dated July 14, 2000, this Court first adopted certain Family Court Project Rules for the exclusive, temporary use by courts participating in the Indiana Supreme Court Family Court Project. The Family Court Project Rules are attached and incorporated hereto as Exhibit A.

As the Indiana General Assembly has made additional funding available, the Supreme Court has approved additional family court projects. Accordingly, this Court now finds that the courts selected for the Family Court projects in the counties listed below are authorized to designate, by a written Local Rule, that they adopt the Family Court Project Rules as a whole.

Phase I projects – Johnson, Monroe, and Porter County Projects;

Phase II projects – LaPorte, Marion, Owen, and Putnam County Projects;

Phase III projects – Henry, Lake, Tippecanoe, Vigo, and joint Bartholomew-Brown-Jackson-Lawrence County Projects.

Phase IV projects – Allen, St. Joseph, and joint Crawford-Martin-Orange County Projects; and,

Phase V projects – Clark and Vanderburgh County Projects.

The authorization to use the Family Court Project Rules is continued effective January 1, 2009, and expires December 31, 2009.

IT IS, THEREFORE, ORDERED THAT the courts selected for the Family Court Projects in the above listed counties are hereby authorized to operate under the Family Court Project Rules attached hereto. Each court wishing to avail itself of the Family Court Project Rules shall, by Local Rule for said court, adopt the Family Court Rules as a whole and give notice to all parties and their attorneys that appear in cases in the Family Court Project of such Local Rule and of the Family Court Project Rules.

IT IS FURTHER ORDERED that the Clerk of this Court is directed to send notice of this Order to the Clerks of Allen, Bartholomew, Brown, Clark, Crawford, Henry, Jackson, Johnson, Lake, LaPorte, Lawrence, Marion, Martin, Monroe, Orange, Owen, Porter, Putnam, St. Joseph, Tippecanoe, and Vanderburgh Counties.

IT IS FURTHER ORDERED that the Clerks of Allen, Bartholomew, Brown, Clark, Crawford, Henry, Jackson, Johnson, Lake, LaPorte, Lawrence, Marion, Martin, Monroe, Orange, Owen, Porter, Putnam, St. Joseph, Tippecanoe, and Vanderburgh Counties are directed to provide copies of this Order to all judges of courts of record within their respective counties and to enter this Order and Exhibit in the Record of Judgments and Orders of each court participating in the respective Family Court Project.

DONE at Indianapolis Indiana, this 16<sup>th</sup> day of February, 2009.

For the Indiana Supreme Court

  
\_\_\_\_\_  
Randall T. Shepard  
Chief Justice of Indiana

## **EXHIBIT A**

### **FAMILY COURT PROJECT RULES**

#### **Definitions**

**Family Court.** "Family Court" is the court or courts before which cases involving a family or household are linked together for purposes of case coordination. The individual cases maintain their separate integrity and separate docket number, but may be given a common family court designation. The individual cases may all be transferred to one judge, or may remain in the separate courts in which they were originally filed.

**Family Court Proceeding.** A "Family Court Proceeding" is comprised of the individual cases of the family or household which have been assigned to Family Court.

#### **Rule 1: Exercise Of Jurisdiction**

The Family Court may exercise jurisdiction over any case involving the family at the same time it exercises jurisdiction over a juvenile case (Child In Need of Services, Delinquency, Status, and Paternity) involving the family.

#### **Rule 2: Concurrent Hearings**

The Family Court may, in the court's discretion, set hearings on related cases to be heard concurrently, take evidence on the related cases at these hearings, and rule on the admissibility of evidence for each cause separately as needed to adequately preserve the record for appeal. This rule applies only when the cases are pending before the same judicial officer.

#### **Rule 3: Designation of Family Court and Change of Judge for Cause**

Once notice is sent to the parties that a case has been selected for Family Court, no motion for change of venue from the judge may be granted except to the extent permitted by Indiana Trial Rule 76.

Within ten (10) days after notice is sent that a case has been selected for Family Court, a party may object for cause to the Family Court designation.

A motion for change of venue from the judge in any matters arising in the Family Court proceeding or any future cases joined in the Family Court proceeding after the initial selection of cases, shall be granted only for cause.

If a special judge is appointed, all current and future cases in the Family Court proceeding may be assigned to the special judge.

#### **Rule 4: Judicial Notice and Access to Records**

**Notice of Case Assignment.** Within a reasonable time after a case is assigned to Family Court, the court shall provide to all parties in the Family Court proceeding a list of all cases that have been assigned to that Family Court proceeding.

**Judicial Notice.** Any court having jurisdiction over a case assigned to Family Court may take judicial notice of any relevant orders or Chronological Case Summary (CCS) entry issued by any Indiana Circuit, Superior, County, or Probate Court.

If a court takes judicial notice of:

- a. a court order, the court shall provide a copy of that court order; or
- b. a CCS or CCS entry(s), the court shall provide a copy of the entire CCS.

The court shall provide copies of the order or CCS to the parties to the case at or before the time judicial notice is taken.

**Access to Records.** Parties to a Family Court proceeding shall have access to all cases within the Family Court proceeding, with the exception of confidential cases or records to which they are not a party. Parties may seek access to the confidential cases or records in another case within the Family Court proceeding in which they are not a party, by written petition based on relevancy and need. Confidential records shall retain their confidential status and the Family Court shall direct that confidential records not be included in the public record of the proceedings.